**THE HONOURABLE SRI JUSTICE V.ESWARAIAH**

**WRIT PETITION No :22215 of 1998**

**DATED:29-06-2007**

**BETWEEN:**

Raheemunnisa Begum & 9 others.

**..... PETITIONERS**

AND

The City Municipality,
Khammam,
Rep., by its Commissioner.

**.....RESPONDENT**

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**ORDER:**

Heard learned counsel appearing for the petitioners as well as the learned Government Pleader for Municipal Administration appearing for the respondent.

2. Petitioners seek a writ of mandamus directing the respondent to provide alternate accommodation to the petitioners in Girls High School premises, Station road, Khammam by constructing shopping complex adjacent to the existing shopping complex therein or any other suitable place for their business.

3. I am of the opinion that the petitioners are not entitled for the relief prayed for in this Writ Petition as admittedly they have no vested right to provide alternative premises but the only question that arises for consideration is without giving any notice they may not be evicted from their shops (wooden bunks). Therefore, petitioners made as representation, dated
25-07-1998, stating that they are willing to contribute Rs.1,00,000/- to meet out the construction charges by the municipality for erection of shops on the western side of the compound of Girls High School, Khammam, but no action has been taken and in the meanwhile action has been initiated to remove their bunks abruptly causing loss to them, and therefore they made the said representation to provide them alternative shops abutting the

western compound wall.

This Court by order, dated 20-08-1998, made the following order:

> *"interim direction to the respondent to consider the representation, dated 25-07-1998, for providing alternative accommodation to the petitioners to carry on their business pending further orders. There will also be a further direction not to evict the petitioners from their shops (wooden bunks) without issuing prior notice and without following the due procedure prescribed by law".*

4. Having regard to the facts and circumstances of the case, the Writ Petition is disposed of directing the respondent to consider and dispose of the said representation of the petitioner, dated 25-07-1998, which was already disposed of. If the petitioners were not been dispossessed, respondent is directed not to evict them without following due process of law. No order as to costs.

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**V.ESWARAIAH,J**

29th June, 2007.
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